UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,173	04/11/2001	Jeffrey Jonathan Spurgat	11748/16	1523

7590 08/25/2005	EXAMINER
John S. Paniaguas	CHOUDHURY, AZIZUL Q

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ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _02 June 2005_.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-7_ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-7_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _11 April 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Detailed Action

This office action is in response to the correspondence received on June 2, 2005.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng

(US Pat No: US006430530B1) in view of Iverson et al (US Pat No: US005852664A),

hereafter referred to as Ng and Iverson, respectively.

1. With regards to claim 1, Ng teaches through Iverson, a secure architecture for

   encoded or encrypted digital audio files comprising: a computing platform for

   processing encrypted or encoded digital data, said computing platform including

   a peripheral bus and configured to run audio or video playback application

   software and pass said encrypted or encoded digital data To said peripheral bus

   configured so as to be not-accessible by said audio or video playback software; a

   peripheral including a timing generator and a digital-lo-analog converter MAC),

   said timing generator configured to generate timing signals for said PAC. said

   peripheral also including a memory device for storing decoding or decryption

   software, said peripheral coupled to said peripheral bus configured to decrypt or

decode said encrypted or encoded digital data and generate a decoded or decrypted ante output signal for playback by an external analog device

(Ng teaches a design for an apparatus that can handle encoded mp3 files. It is able to decode and play the file using a processor and a digital-to-analog converter. The file is converted into an analog signal so that it can be played on analog devices such as speakers (column 2, lines 20-32, Ng). In addition, Ng states that the apparatus is able to transfer the digital signals (transfer files) to a digital device such as a computer (column 3, lines 45-50, Ng) and allows for busses for data input/output (column 6, lines 47-52, Ng). However, the disclosure does not teach that the computer is able to playback the encoded files.

Iverson teaches also teaches a multimedia design. In the Iverson design, computers are able to play encoded multimedia signals (files) (column 1, lines 48-58, Iverson).

Both Ng and Iverson teach designs involving playback of encoded multimedia files. Hence, it would have been obvious, to one skilled in the art during the time of the invention, to have combined the teachings of Ng with those of Iverson, to provide a computer-implemented process, apparatus, and computer software for controlling access to decoding of encoded multimedia signals (column 1, lines 48-58, Iverson)).

2. With regards to claim 2, Ng teaches through Iverson, the secure architecture,

wherein said computing platform includes a network interface for receiving digital

data from an external network

(Ng teaches a design for an apparatus that can handle encoded mp3 files.

Ng states that the apparatus is able to transfer the digital signals (transfer files) to

a digital device such as a computer (column 3, lines 45-50, Ng) and allows for

busses for data input/output (column 6, lines 47-52, Ng). However, the

disclosure does not teach that the computer is able to playback the encoded

files.

Iverson teaches also teaches a multimedia design. In the Iverson design,

computers are able to play encoded multimedia signals (files) (column 1, lines

48-58, Iverson).

Both Ng and Iverson teach designs involving playback of encoded

multimedia files. Hence, it would have been obvious, to one skilled in the art

during the time of the invention, to have combined the teachings of Ng with those

of Iverson, to provide a computer-implemented process, apparatus, and

computer software for controlling access to decoding of encoded multimedia

signals (column 1, lines 48-58, Iverson)).

3. With regards to claim 3, Ng teaches through Iverson, the secure architecture,

wherein said peripheral bus is a USB bus

(Ng teaches a design for an apparatus that can handle encoded mp3 files. Ng states that the apparatus is able to transfer the digital signals (transfer files) to a digital device such as a computer (column 3, lines 45-50, Ng) and allows for busses for data input/output (column 6, lines 47-52, Ng). The bus is allowed to be of any type in Ng's design. However, the disclosure does not teach that the computer is able to playback the encoded files.

Iverson teaches also teaches a multimedia design. In the Iverson design, computers are able to play encoded multimedia signals (files) (column 1, lines 48-58, Iverson).

Both Ng and Iverson teach designs involving playback of encoded multimedia files. Hence, it would have been obvious, to one skilled in the art during the time of the invention, to have combined the teachings of Ng with those of Iverson, to provide a computer-implemented process, apparatus, and computer software for controlling access to decoding of encoded multimedia signals (column 1, lines 48-58, Iverson)).

4. With regards to claim 4, Ng teaches through Iverson, the secure architecture, wherein said peripheral bus is a PCI bus

(Ng teaches a design for an apparatus that can handle encoded mp3 files. Ng states that the apparatus is able to transfer the digital signals (transfer files) to a digital device such as a computer (column 3, lines 45-50, Ng) and allows for busses for data input/output (column 6, lines 47-52, Ng). The bus is allowed to

be of any type in Ng's design. However, the disclosure does not teach that the computer is able to playback the encoded files.

Iverson teaches also teaches a multimedia design. In the Iverson design, computers are able to play encoded multimedia signals (files) (column 1, lines 48-58, Iverson).

Both Ng and Iverson teach designs involving playback of encoded multimedia files. Hence, it would have been obvious, to one skilled in the art during the time of the invention, to have combined the teachings of Ng with those of Iverson, to provide a computer-implemented process, apparatus, and computer software for controlling access to decoding of encoded multimedia signals (column 1, lines 48-58, Iverson)).

5. With regards to claim 5, Ng teaches through Iverson, the secure architecture, wherein said peripheral bus is a Fire Wire bus

(Ng teaches a design for an apparatus that can handle encoded mp3 files. Ng states that the apparatus is able to transfer the digital signals (transfer files) to a digital device such as a computer (column 3, lines 45-50, Ng) and allows for busses for data input/output (column 6, lines 47-52, Ng). The bus is allowed to be of any type in Ng's design. However, the disclosure does not teach that the computer is able to playback the encoded files.

Iverson teaches also teaches a multimedia design. In the Iverson design, computers are able to play encoded multimedia signals (files) (column 1, lines 48-58, Iverson).

Both Ng and Iverson teach designs involving playback of encoded multimedia files. Hence, it would have been obvious, to one skilled in the art during the time of the invention, to have combined the teachings of Ng with those of Iverson, to provide a computer-implemented process, apparatus, and computer software for controlling access to decoding of encoded multimedia signals (column 1, lines 48-58, Iverson)).

6. With regards to claim 6, Ng teaches through Iverson, the secure architecture further including one or more user input devices

(Ng teaches a design for an apparatus that can handle encoded mp3 files. Ng states that the apparatus is able to transfer the digital signals (transfer files) to a digital device such as a computer (column 3, lines 45-50, Ng) and allows for busses for data input/output (column 6, lines 47-52, Ng). The bus is allowed to be of any type in Ng's design. However, the disclosure does not teach that the computer is able to playback the encoded files.

Iverson teaches also teaches a multimedia design. In the Iverson design, computers are able to play encoded multimedia signals (files) (column 1, lines 48-58, Iverson). In addition, it is obvious that a multimedia computer will allow for one/more input devices such as keyboard and mouse.

Both Ng and Iverson teach designs involving playback of encoded

multimedia files. Hence, it would have been obvious, to one skilled in the art

during the time of the invention, to have combined the teachings of Ng with those

of Iverson, to provide a computer-implemented process, apparatus, and

computer software for controlling access to decoding of encoded multimedia

signals (column 1, lines 48-58, Iverson)).

7. With regards to claim 7, Ng teaches through Iverson, the secure architecture,

wherein said computing architecture includes one or more local persistent

storage devices

(Ng teaches a design for an apparatus that can handle encoded mp3 files.

Ng states that the apparatus is able to transfer the digital signals (transfer files) to

a digital device such as a computer (column 3, lines 45-50, Ng) and allows for

busses for data input/output (column 6, lines 47-52, Ng). The bus is allowed to

be of any type in Ng's design. However, the disclosure does not teach that the

computer is able to playback the encoded files.

Iverson teaches also teaches a multimedia design. In the Iverson design,

computers are able to play encoded multimedia signals (files) (column 1, lines

48-58, Iverson). Plus, the computer of Iverson's design consists of one/more

storage devices (Figure 1, Iverson).

Both Ng and Iverson teach designs involving playback of encoded

multimedia files. Hence, it would have been obvious, to one skilled in the art

during the time of the invention, to have combined the teachings of Ng with those

of Iverson, to provide a computer-implemented process, apparatus, and

computer software for controlling access to decoding of encoded multimedia

signals (column 1, lines 48-58, Iverson)).

Response to Remarks

The amendment received on June 2, 2005 has been reviewed but is not

considered fully persuasive. The amended independent claim along with the new

claims merited a new search and a new office action to be composed. The newly

amended claimed invention is now rejected under the Ng prior art in view of the Iverson

prior art. It is strongly believed that every aspect of the claimed invention is now

covered between these two prior arts.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

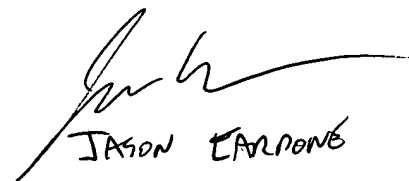mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Azizul Choudhury whose telephone number is (571)

272-3909. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Valencia Martin-Wallace can be reached on (571) 272-6159. The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

AC

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